

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

BURTON, et al.

Int'l. Serial No.: PCT/ZA00/00173

Int'l. Filing Date: 18 September 2000

Priority Date: 17 September 1999

For: "NOVEL MICRO-ORGANISMS, THEIR
USE AND METHOD FOR PRODUCING
D-AMINO ACIDS"

Atty. File No.: 4804SAB-1

Assistant Commissioner for Patents
Washington, D.C. 20231PETITION TO REVIVE FOR
UNINTENTIONAL ABANDONMENT"EXPRESS MAIL" LABEL NUMBER: EL923664201US
DATE OF DEPOSIT: FEBRUARY 6, 2003I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND
IS ADDRESSED TO THE COMMISSIONER OF PATENTS,
WASHINGTON, D.C. 20231.TYPED OR PRINTED NAME: CONSTANCE ROBBETTSIGNATURE: Constance Robbett

Dear Sir:

Applicants respectfully submit this Petition to Revive Unintentionally Abandoned Application under 37 CFR § 1.137(b). The application became abandoned due to Applicants' failure to file a sequence listing complying with 37 CFR § 1.821(c) in response to the Notification of Missing Requirements. The entire delay in filing the required sequence listing from the date of 22 July 2002 until the filing of a grantable petition pursuant to § 1.137(b) was unintentional. Applicants note that no time period was established for submission of the sequence listing in the Notification of Missing Requirements.

Accompanying this Petition is: (A) the required sequence listing in paper and computer readable form, (B) an amendment directing its entry into the specification, (C) the petition fee as set forth in 37 CFR § 1.17(m) of \$130.00 and (D) a request for a extension of time for five months.

Please debit any under payment or credit any overpayment to Deposit Account No. 19-1970.

Application No. 09/486,573

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Applicants respectfully request the grant of the present Petition and the rescission of the Notice of Abandonment. Applicants' counsel hereby requests the courtesy of a telephone call to discuss any questions relating to the decision in this case, and can be reached at (303) 863-9700.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Robert D. Traver

Robert D. Traver
Registration No. 47,999
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: 6 FEB 2003